APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/908,934	07/19/2001	Shih-Ping Liou	2000P07785 US01	1038

7590   04/21/2005

Siemens Corporation
Intellectual Property Department
186 Wood Avenue South
Iselin, NJ 08830

EXAMINER
POND, ROBERT M

ART UNIT	PAPER NUMBER
3625	

DATE MAILED: 04/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)	
Office Action Summary	09/908,934	LIOU, SHIH-PING	
	Examiner	**Art Unit**	
	Robert M. Pond	3625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _12 January 2005_.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-29_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-29_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some *   c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

PTOL-326 (Rev. 1-04)   Office Action Summary   Part of Paper No./Mail Date 20050415

DETAILED ACTION

Response to Amendment

The Applicant requested reconsideration. All pending claims (1-29) were ·

examined in the final office action.

Response to Arguments

Applicant's arguments filed 06 January 2005 have been fully considered but

they are not persuasive.

- Tackbary discloses storing customer preferences using an order history

    database (please note: a customer profile) as previously cited (see at least

    abstract).

- Tackbary discloses customer search criterion, keyword searching- all of

    which deliver a view reflecting a degree of relevance with respect to

    displaying general product categories. Claim language remains too broad

    to warrant new grounds of rejection.

- Tackbary discloses a multi-view browser that uses hyper-text linking (see

    at least Fig. 4 (465 as view "A" and the other half of the screen as view

    "B").

- Tackbary teaches searching and categorizing by date or occasion or

    name or relationship, and presenting in tabular form (see at least Fig. 4

    (465); Fig. 8 (990, 985, 995, 1000)).

- Organizing product data in tabular form is notoriously old and well known. As previously cited, one of ordinary skill in the art would ascertain organizing product data in tabular form as a customer convenience.

- The Examiner firmly believes Tackbary teaches tabular displaying of information sufficient to combine with the cited prior art. Claim language remains broad to warrant new grounds of rejection.

- A help button is taught. The purpose of the help button is to provide information useful to the user activating the help feature.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as
> set forth in section 102 of this title, if the differences between the subject matter sought to be
> patented and the prior art are such that the subject matter as a whole would have been obvious at
> the time the invention was made to a person having ordinary skill in the art to which said subject
> matter pertains. Patentability shall not be negatived by the manner in which the invention was
> made.

1.   **Claims 1, 2, 5, 7, 8, 11-14, 20, 21, and 24-26 are rejected under 35 USC**

103(a) as being unpatentable over Tackbary et al. (Paper #20040923,

US 5,555,496 hereinafter referred to as "Tackbary").

Tackbary teaches a system and method of rendering product information

based on database query. Tackbary further teaches

- *Locating the relevant documents; generating relevant documents with*

  respect to user query: initial sorting and filtering is performed

  automatically; relevant product information displayed based on customer

  query (please note examiner's interpretation: irrelevant information not

  displayed) (see at least col. 10, lines 45-64); Order history database;

  automatic filtering to present the product the recipient is known to prefer

  (see at least Fig. 1 (105); col. 10, lines 57-60); category and sub-

  categories (see at least Fig. 8 (975-Religious; 985-Christmas)).

- *System:* user interface, product database, computer system; software

  executed on a computer (see at least Fig. 1 (5, 85, 115, 110); col. 3, line

  66 through col. 4, line 58).

- *Rendering a set of tabs on a user interface, each tab providing a perspective on product data*

  Tackbary teaches all the above as noted under the 103(a) rejection and teaches a) a user conducting a database query to search for product information, b) displaying searched product using filtering and sorting to display only relevant product information, c) displaying a tabular arrangement of broad product categories similar to notebook tabs (see at least Fig. 8 (990, 985, 995, 1000); col. 11, lines 1-10), d) displaying product subcategories, and e) tabbing calendar views in alphabetical order to organize data more efficiently for the user (see at least Fig. 6a (755); col. 9, lines 55-57). Tackbary, however, does not disclose rendering searched product information in tabular form by category and sub-category. It would have been obvious to one of ordinary skill in the art at time of the invention to modify the method of Tackbary to render the searched product information in tabular form in order of relevance for category and sub-category, since one of ordinary skill in the art would . ascertain organizing searched product information in tabular form by relevance by category and subcategory as an additional viewing convenience to the user, and thereby attract users to the service.

Pertaining to system Claims 1, 2, and 5

Rejection of Claims 1, 2, and 5 is based on the same rationale as noted above.

Pertaining to program storage device Claims 20, 21, and 24-26

Rejection of Claims 20, 21, and 24-26 is based on the same rationale as noted above.

2.   **Claims 3, 4, 15, 27, and 28 are rejected under 35 USC 103(a) as being unpatentable over Tackbary (Paper #20040923, US 5,555,496), as applied to Claims 1, 7, and 20.**

Tackbary teaches all the above as noted under the 103(a) rejection and teaches a) a computer based system and method of purchasing products using database query, b) users conducting a plurality of searches, c) displaying category and sub-category product information, and d) displaying product information in tabbed form based on relevance using filtering and sorting criteria, but does not disclose updating relevance of each category tab and sub-category tab. It would have been obvious to one of ordinary skill in the art at time of the invention to modify the method of Tackbary to update relevance of tabs, since one of ordinary skill in the art would ascertain the need to update the tabbed categories of each search conducted by the user in order to keep the relevance information useful to the user, and thereby attract users to the service.

Pertaining to system Claims 3 and 4

Rejection of Claims 3 and 4 is based on the same rationale as noted above.

Pertaining to program storage device Claims 27 and 28

Rejection of Claims 27 and 28 is based on the same rationale as noted

above.

3.   **Claim 6 is rejected under 35 USC 103(a) as being unpatentable over**

Tackbary (Paper #20040923, US 5,555,496), in view of Axaopoulous et al.

(Paper #20040923, US 6,286,002 hereinafter referred to as "Axaopoulous").

Tackbary teaches all the above as noted under the 103(a) rejection and

teaches a) online database searches for product information, b) displaying

product categories and subcategories, and c) making purchases based on

searched product information, but does not disclose clicking on a help button to

display a user summary to an agent. Axaopoulous teaches a) a method of

accessing a database using a computer system, b) displaying product categories

and subcategories, and c) making purchases based on searched product.

Information. Axaopoulous teaches sending a search summary to an agent by

clicking on an icon or active link, and further teaches the information lets other

users better understand what products and services are desired (see at least Fig.

6 (630); Fig. 19; Figs. 25-27; col. 3, lines 24-43; col. 4, lines 1-22; col. 16, line 18

through col. 17, line 34). Therefore it would have been obvious to one of ordinary

skill in the art at time of the invention to modify the method of Tackbary to display

a search summary to an agent and other users as taught by Axaopoulous, in

order to provide search assistance to the customers, and thereby attract

customers to the service.

4.   **Claims 9, 10, 16, 22, 23, and 29 are rejected under 35 USC 103(a) as**

being unpatentable over Tackbary (Paper #20040923, US 5,555,496) in view

of Aalbersberg (Paper #20040923, US 5,946,678).

Tackbary teaches all the above as noted under the 103(a) rejection and

teaches a) a computer based system and method of purchasing products using

database query, b) displaying product information in tabbed form based on

relevance using filtering and sorting criteria, and c) ranking information in

alphabetical order (please note examiner's interpretation: lettering to display

alphabetized order is an indicator of relevance to the user), but does not disclose

a ranking indicator for tabbed product information using a color bar shaded to

show relevance. Aalbersberg teaches a user interface for document retrieval

using a distinctive feature to display relevance. Aalbersberg teaches a color-

based display featuring a bar displaying individually colored parts of the bar to

reflect weigh of the relevance of the retrieved information; a user telling at a

glance relevant information (see at least abstract; Fig. 4 ((41, 43, 45); col. 2, lines

20-49; col. 5, line 45 through col. 6, line20). Therefore it would have been

obvious to one of ordinary skill in the art at time of the invention to modify the·

method of Tackbary to display a relevance indicator as taught by Aalbersberg, in

order to help users determine the relevance of retrieved information at a glance,

and thereby provide a user convenience that would attract user to the service.

Pertaining to program storage device Claims 22, 23, and 29

Rejection of Claims 22, 23, and 29 is based on the same rationale as noted

above.

5.   **Claims 17-19 are rejected under 35 USC 103(a) as being unpatentable**
over Tackbary (Paper #20040923, US 5,555,496) and Aalbersberg (Paper
#20040923, US 5,946,678), as applied to Claim 10, further in view of
Axaopoulous et al. (Paper #20040923, US 6,286,002 hereinafter referred to
as "Axaopoulous").

Tackbary and Aalbersberg teach all the above as noted under the 103(a)

rejection and teach a) online database searches for product information, b)

displaying product categories and subcategories, and c) making purchases

based on searched product information, but does not disclose clicking on a help

button to display a user summary to an agent. Axaopoulous teaches a) a method

of accessing a database using a computer system, b) displaying product

categories and subcategories, and c) making purchases based on searched

product. Information. Axaopoulous teaches sending a search summary to an

agent by clicking on an icon or active link, and further teaches the information

lets other users better understand what products and services are desired (see at

least Fig. 6 (630); Fig. 19; Figs. 25-27; col. 3, lines 24-43; col. 4, lines 1-22; col.

16, line 18 through col. 17, line 34). Therefore it would have been obvious to one of ordinary skill in the art at time of the invention to modify the method of Tackbary and Aalbersberg to display a search summary to an agent and other users as taught by Axaopoulous, in order to provide search assistance to the customers, and thereby attract customers to the service.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of
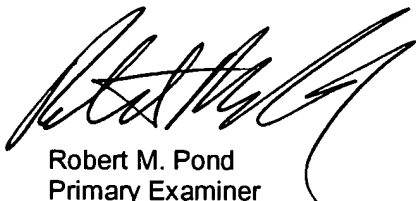
time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire

THREE MONTHS from the mailing date of this action. In the event a first reply is

filed within TWO MONTHS of the mailing date of this final action and the advisory

action is not mailed until after the end of the THREE-MONTH shortened statutory

period, then the shortened statutory period will expire on the date the advisory

action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be

calculated from the mailing date of the advisory action. In no event, however, will

the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

Any inquiry concerning this communication or earlier communications from

the examiner should be directed to Robert M. Pond whose telephone number is

571-272-6760. The examiner can normally be reached on 8:30AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the

examiner's supervisor, Ms. Wynn Coggins can be reached on 571-272-7159.

The fax phone number for the organization where this application or proceeding

is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Robert M. Pond
Primary Examiner
April 18, 2005